

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HELEN HANKS, on behalf of herself and all
others similarly situated,

Plaintiff,

VS.

THE LINCOLN LIFE & ANNUITY
COMPANY OF NEW YORK; VOYA
RETIREMENT INSURANCE AND
ANNUITY COMPANY, formerly
known as Aetna Life Insurance and
Annuity Company,

Defendants.

Civil Action No. 16-cv-6399

**PROOF OF MAILING OF SHORT-FORM NOTICE AND
PROOF OF WEBSITE POSTING OF LONG-FORM NOTICE
PURSUANT TO THE ORDER APPROVING
FORM AND MANNER OF NOTICE (DKT. 122)**

To the Court, All Parties, and Their Counsel of Record:

On April 23, 2019, the Court issued its “Order Approving Form and Manner of Class Notice.” Dkt. 122. Pursuant to this Order, the Notice Administrator (JND Legal Administration LLC (“JND”)) was required to mail the approved Short-Form Notice to all Class Members by the “Notice Date,” which was defined as twenty-one days after Class Counsel received a list of Class Members and their last known addresses from Defendant Voya Retirement Insurance and Annuity Company (“Voya”). *Id.* ¶ 5. The Order also required that JND cause a copy of the approved Long-Form Notice to be posted on the website designed for this lawsuit by the Notice Date, and establish and maintain a toll-free number for class members. *Id.* ¶¶ 6–7. The Order required that Class Counsel file a proof of mailing and proof of posting by no later than fourteen days after the notice date. *Id.* ¶ 10.

Pursuant to the April 23 Order, Class Counsel now submits this proof of mailing and posting. Class Counsel received the list of Class Members and their last known addresses from Voya on May 23, 2019, *see* Declaration of Nicholas N. Spear ¶ 3 (attached hereto as Exhibit A), which meant that the “Notice Date” was June 13, 2019. On June 13, JND mailed the Short-Form Notice to Class Members consistent with the April 23 Order. *See* Declaration of Jennifer M. Keough ¶¶ 6–7 (attached hereto as Exhibit B). Also on June 13, JND established a Notice Website, www.Voyacoil litigation.com, to provide additional information to Class Members. *Id.* ¶ 9. This website allows viewers to download copies of the Long-Form Notice and other documents. *Id.* Also on June 13, JND established a case-specific toll-free number, 1-833-759-2984, for individuals to call to obtain information about the Lawsuit. *Id.* ¶ 8. The line is available 24 hours a day, seven days a week. *Id.* As of June 24, 2019, the website has received 277 unique visitors for a total of 1,017 pageviews and the case-specific toll-free number has received 208 calls. *Id.* ¶ 10.

Dated: June 27, 2019

/s/ Nicholas N. Spear

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served on the following counsel, this June 27, 2019.

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/s/ Nicholas N. Spear
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